

PSYCHIATRIC AND SUBSTANCE ABUSE TREATMENT SERVICES

12 VAC 5-290-10. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

"Acute psychiatric services" are inpatient psychiatric services provided at the hospital level of care which have a reported inpatient average length of stay of 90 days or less.

"Acute substance abuse treatment services" are inpatient substance abuse treatment services provided at the hospital level of care, exemplified by medical detoxification, treatment of the medical and psychiatric complications of chemical dependency, and continuous nursing services.

"Inpatient psychiatric services" are acute psychiatric services provided through distinct inpatient units of medical care facilities or through free-standing psychiatric hospitals. Inpatient psychiatric beds are licensed by the Department of Mental Health, Mental Retardation, and Substance Abuse Services (DMHMRSAS). "Psychiatric services" are services provided to individuals for the prevention, diagnosis, treatment, and/or palliation of psychiatric disorders.

"Inpatient substance abuse treatment services" are substance abuse treatment services provided

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through distinct inpatient units of medical care facilities or through free-standing inpatient substance abuse treatment facilities. Inpatient substance abuse treatment beds are licensed by the Department of Mental Health, Mental Retardation, and Substance Abuse Services (DMHMRSAS).

"Intermediate care substance abuse treatment services" are inpatient substance abuse treatment services provided at the residential level of care, exemplified by sub-acute (nonhospital) detoxification services and structured programs of assessment, counseling, vocational rehabilitation, and social rehabilitation.

"Long term psychiatric services" are inpatient psychiatric services provided at the hospital level of care which have a reported inpatient average length of stay in excess of 90 days. These services have traditionally been provided in facilities operated by the DMHMRSAS and, in that case, have not been subject to certificate of public need requirements.

"Satellite clinic" means a scheduled program of outpatient services for patients requiring psychiatric or substance abuse treatment following discharge from an inpatient program conducted at a site remote from the facility in which the inpatient services are provided which allows patients to obtain needed outpatient services for their psychiatric illness and/or substance abuse closer to their city or county of residence.

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"Substance abuse treatment services" are services provided to individuals for the prevention, diagnosis, treatment, and/or palliation of chemical dependency, which may include attendant medical and psychiatric complications of chemical dependency.

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12 VAC 5-290-30. Accessibility; travel time; financial considerations.

A. Acute psychiatric, acute substance abuse treatment, and intermediate care substance abuse treatment services should be available within a maximum driving time, under normal conditions, of 60 minutes one-way for 95% of the population.

B. 1. Acute psychiatric, acute substance abuse treatment, and intermediate care substance abuse treatment services should be accessible to all patients in need of services without regard to their ability to pay or the payment source.

2. Existing and proposed acute psychiatric, acute substance abuse treatment, and intermediate care substance abuse treatment service providers should have established plans for the provision of services to indigent patients which include, at a minimum: (i) the number of unreimbursed patient days to be provided to indigent patients who are not Medicaid recipients; (ii) the number of Medicaid-reimbursed patient days to be provided (unless the existing or proposed facility is ineligible for Medicaid participation); (iii) the number of unreimbursed patient days to be provided to local community services boards; and (iv) a description of the methods to be utilized in implementing the indigent patient service plan and assuring the provision of the projected levels of unreimbursed and Medicaid-reimbursed patient days. The definition of indigent person used in the indigent patient service plan should be

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consistent with the definition of charity care used by Virginia's Indigent Care Trust Fund.

3. Proposed acute psychiatric, acute substance abuse treatment, and intermediate care substance abuse treatment service providers should have formal agreements with community services boards in their identified service area which: (i) specify the number of charity care patient days which will be provided to the community service board; (ii) provide adequate mechanisms for the community services board to monitor compliance with charity care provisions; and (iii) provide for effective discharge planning for all patients (to include the return of patients to their place of origin/home state if other than Virginia).

C. Providers of acute psychiatric, acute substance abuse treatment, and intermediate care substance abuse treatment services serving large geographic areas should establish satellite outpatient facilities to improve patient access, where appropriate and feasible.

I certify that this regulation is full, true, and correctly dated.

E. Anne Peterson, M.D., M.P.H.
Acting State Health Commissioner